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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 DENNIS ROBERT ROCK,

12 Petitioner,

13 vs.

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15 M.S. EVANS, WARDEN,

16 Respondent.

CASE NO. 07CV1784 IEG (JMA)

ORDER:

**(1) ADOPTING THE
MAGISTRATE JUDGE'S REPORT
[Doc. No. 10]; and**

**(2) DENYING THE PETITION
FOR WRIT OF HABEAS CORPUS
[Doc. No. 1].**

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18 On September 10, 2007, petitioner Dennis Robert Rock, a state prisoner proceeding pro se,
19 filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his November,
20 2004 conviction for murder. (Doc. No. 1.) Petitioner claims there was insufficient evidence to
21 support his conviction, and the trial court improperly excluded evidence of third party culpability.

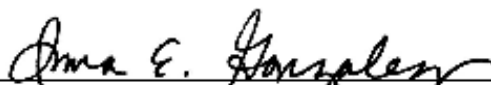
22 This matter was referred to United States Magistrate Jan M. Adler pursuant to 28 U.S.C. §
23 636(b)(1)(B). On April 18, 2008, Magistrate Judge Adler issued a Report and Recommendation
24 recommending the Court deny the petition for writ of habeas corpus in its entirety because the
25 California Court of Appeal's decision in petitioner's case was not contrary to nor an unreasonable
26 application of federal law. (Doc. No. 10.) Any objections to the Report and Recommendation were
27 due May 23, 2008, and none have been filed.

28 Accordingly, the Court ADOPTS the magistrate judge's well-reasoned Report and

1 Recommendation in its entirety, and DENIES the petition for writ of habeas corpus. The Clerk of the
2 Court shall close the case.

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5 **IT IS SO ORDERED.**

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8 **DATED: June 20, 2008**

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11 **IRMA E. GONZALEZ, Chief Judge**
12 **United States District Court**
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